FEDERAL REGISTER

VOLUME 18 NUMBER 182

Washington, Thursday, September 17, 1953

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10486

PROVIDING FOR THE ESTABLISHMENT OF THE ADVISORY COMMITTEE ON GOVERNMENT HOUSING POLICIES AND PROGRAMS

By virtue of the authority vested in me by the Constitution and Statutes, and as President of the United States, it is hereby ordered as follows:

1. There shall be established the Advisory Committee on Government Housing Policies and Programs.

2. The Committee shall make, or cause to be made, studies and surveys of the housing policies and programs of the Government and the organization within the Executive Branch for the administration of such policies and programs, and shall advise the Housing and Home Finance Administrator and the President with respect thereto.

3. The Housing and Home Finance Administrator shall serve as the Chairman of the Committee, and the other members of the Committee shall be appointed pursuant to the provisions of this Executive Order and Section 601 of the Housing Act of 1949 (63 Stat. 439; 12 U. S. C. 1701H)

4. To work directly with the Housing and Home Finance Administrator in the task of directing specific studies and surveys and developing concrete recommendations, there shall be in the Committee an Executive Committee, consisting of members of the Committee designated for such purpose, and the Housing and Home Finance Administrator shall serve as the Chairman of such Executive Committee.

5. Administrative expenses in connection with the work of the Committee, including expenses of advisers and consultants appointed by the Chairman in connection therewith, shall, upon authorization therefor by the Chairman or his delegatee, be paid pursuant to the authority therefor under the heading, "Housing and Home Finance Agency, Office of the Administrator" in the Supplemental Appropriation Act, 1954 (Public Law 207, Eighty-third Congress, approved August 7, 1953)

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
September 12, 1953.

[F. R. Doc. 53-8059; Filed, Sept. 15, 1953; 12:38 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 34—APPOINTMENT, COMPENSATION, AND REMOVAL OF HEARING EXAMINERS

REDUCTIONS IN FORCE

Effective upon publication in the FEDERAL REGISTER, § 34.15 is amended to read as follows:

§ 34.15 *Reductions in force*—(a) *Retention credits.* Retention credits for purposes of reductions in force of hearing examiners are credits for length of Federal Government service.

(b) *Determination of tenure groups.* For the purpose of determining relative retention preference in reductions in force, hearing examiners shall be classified according to tenure of employment and veteran preference in groups and subgroups in the manner prescribed in § 20.4 (c) of the Retention Preference Regulations For Use in Reductions in Force (Part 20 of this chapter) *Provided,* That inasmuch as hearing examiners may not be given performance ratings the distinction made in § 20.4 (c) of this chapter between employees with satisfactory or better performance ratings and employees with unsatisfactory performance ratings will not be applicable to hearing examiners.

(c) *Status of hearing examiners who are reached in reductions in force.* The name of a hearing examiner who has been separated, furloughed, or demoted from a hearing examiner position because of a reduction in force will, at his request and if he is qualified, be placed at the top of the open competitive hearing examiner register for the grade in which he formerly served and for all lower grades. Where more than one hearing examiner is affected, the qualifications of the several hearing examiners shall be rated by the Commission and relative standing at the top of the register will be on a basis of these ratings.

(d) *Retention preference regulations.* The Retention Preference Regulations for Use in Reductions in Force (Part 20 of this chapter) except as modified by

(Continued on p. 5563)

CONTENTS

THE PRESIDENT

Executive Order — Page

Providing for the establishment of the Advisory Committee on Government Housing Policies and Programs — 5561

EXECUTIVE AGENCIES

Agriculture Department

See Animal Industry Bureau.

Animal Industry Bureau

Rules and regulations:
- Importation of certain animals and poultry and their products; horses from Canada — 5563

Civil Aeronautics Administration

Rules and regulations:
- Minimum en route IFR altitudes; miscellaneous amendments — 5564

Civil Aeronautics Board

Notices:
- Accident occurring near Michigan City, Ind., hearing — 5573

Rules and regulations:
- Airplane airworthiness; application of load factors to seats and berths:
  - Normal, utility, acrobatic, and restricted purpose categories — 5563
  - Rotorcraft — 5564
  - Transport categories — 5563

Civil Service Commission

Rules and regulations:
- Hearing examiners, appointment, compensation and removal; reductions in force — 5561

Commerce Department

See Civil Aeronautics Administration.

Defense Mobilization Office

See also Defense Rental Areas Division.

Notices:
- Requests to various companies to participate in the formation and activities of certain committees:
  - Integration Committee on Cast Armor for Tracklaying Type Vehicles — 5576

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

Defense Mobilization Office—Continued Page
Notices—Continued
Requests to various companies to participate in the formation and activities of certain committees—Con.
Ordnance Corps Integration Committee on Burster Casings 5576

Defense Rental Areas Division
Rules and regulations:
Defense-rental areas in Alabama, Kentucky and Maryland:
Hotels 5569
Housing 5569
Motor courts 5569
Rooms 5569

Federal Communications Commission
Notices:
Class B FM broadcast stations; revised tentative allocation plan 5575
Hearings, etc..
California Inland Broadcasting Co., and KARM, The George Harm Station 5573
Landon, Alf M., and R. F Schoonover 5574
Southern Tier Radio Service, Inc. et al 5574
U. S. Standard Broadcast Stations; list of changes, proposed changes, and corrections in assignments 5575
Proposed rule making:
Radio broadcast services; extention of use of certain frequencies in Territories and possessions of U. S 5571
Stations on land and shipboard in the Maritime Services; extension of time to comply with certain provisions 5573
Television broadcast stations; table of assignments (3 documents) 5571, 5572
Rules and regulations:
Aeronautical services; frequencies available 5571
Radio broadcast services; table of assignments 5570

Federal Trade Commission
Rules and regulations:
Cedar chest industry· supersedure 5565
Cedar chest manufacturing industry· promulgation of trade practice rules 5565

Housing and Home Finance Agency
Notices:
Regional Representatives and Engineers, Regions III (Chicago) and IV (Fort Worth) delegation of authority with respect to Disaster Relief Program 5575

Indian Affairs Bureau
Rules and regulations:
Operation and maintenance charges; San Carlos Indian Irrigation Project, Arizona, assessments, joint works 5569

CONTENTS—Continued

Interior Department Page
See Indian Affairs Bureau; Land Management Bureau.

Interstate Commerce Commission
Notices:
Applications for relief:
Automobile bumpers and fittings from Huntington, W Va., to points in the East and Midwest 5579
Barium sulphate from Hampton Roads, Va., to West Virginia 5578
Foreign woods from Elizabeth City, N. C., to southern territory 5578
Furniture from Amarillo, Tex., to Colorado and Wyoming 5579
Gasoline and other petroleum products from South Carolina to Washington, Ga 5578
Ilmenite ore from Melbourne, Fla., to Byesville, Ohio 5578
Pulpboard and fiberboard from Vincennes, Ind., to Cleveland, Tenn 5579

Land Management Bureau
Rules and regulations:
Mineral lands; coal permits and leases, and licenses for free use of coal; oil and gas, phosphate and oil shale leases, and sodium permits and leases; school land reservation; grant for university· school sections 5570

Post Office Department
Rules and regulations:
Payment of certificates and interest; payment made on demand 5569

Securities and Exchange Commission
Notices:
Hearings, etc..
Allis-Chalmers Mfg. Co. et al 5577
Ionics, Inc 5577

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3 Page
Chapter II (Executive orders)
10486 5561

Title 5
Chapter I.
Part 34 5561

Title 9
Chapter I:
Part 92 5563

Title 14
Chapter I:
Part 3 5563
Part 4b 5563
Part 6 5564
Chapter II.
Part 610 5564

CODIFICATION GUIDE—Con.

Title 16	Page
Chapter I.	
Part 93	5565
Part 217	5565
Title 25	
Chapter I.	
Part 130	5569
Title 32A	
Chapter XXI (DRAD)	
RR 1	5569
RR 2	5569
RR 3	5569
RR 4	5569
Title 39	
Chapter I:	
Part 84	5569
Title 43	
Chapter I:	
Part 70	5570
Part 71	5570
Part 76	5570
Title 47	
Chapter I.	
Part 3	5570
Proposed rules (4 documents)	5571, 5572
Part 7 (proposed)	5573
Part 8 (proposed)	5573
Part 9	5571

this section, shall apply to reductions in the force of hearing examiners.

(Sec. 11, 60 Stat. 244; 5 U. S. C. 1010)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 53-8028; Filed, Sept. 16, 1953; 8:49 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter D—Exportation and Importation of Animals and Animal Products

[B. A. I. Order 379, Amdt. 2]

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS

HORSES; IMPORTATION FROM CANADA

Pursuant to the authority vested in the Secretary of Agriculture by section 2 of the act of February 2, 1903, as amended (21 U. S. C. 111) § 92.24 of the regulations governing the importation of certain animals and poultry and certain animal and poultry products (9 CFR, 1952 Supp., Part 92, as amended) is hereby amended to read as follows:

§ 92.24 *Horses from Canada.* All horses from Canada shall be inspected as provided in § 92.8 and when so ordered by the Chief of Bureau shall be accompanied by a certificate issued or endorsed by a salaried veterinarian of the Canadian government showing that said horses have been inspected on the premises of origin in Canada and found free from evidence of any contagious, infectious, or communicable disease and, as far as it has been possible to determine, they have not been exposed to any such disease common to animals of their kind, and that said horses have been mallein tested with negative results within 30 days preceding their offer for entry. Any such horse may be detained at the port of entry and there subjected to such tests as may be required by the Chief of Bureau to determine freedom from disease.

The foregoing amendment provides for stricter requirements on the importation of horses from Canada in order to more adequately safeguard against the introduction of animals affected with or exposed to any contagious, infectious, or communicable disease. Official reports have been received by this Department indicating that the disease known as equine encephalomyelitis currently exists in Canada. The protection of the livestock industry of the United States demands that the amendment be made effective immediately. Accordingly, pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and public procedure concerning this amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER. Such notice and hearing are not required by any other statute.

The foregoing amendment shall become effective upon issuance.

(Sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111)

Done at Washington, D. C., this 11th day of September 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-8019; Filed, Sept. 16, 1953; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Supp. 17]

PART 3—AIRPLANE AIRWORTHINESS; NORMAL, UTILITY, ACROBATIC, AND RESTRICTED PURPOSE CATEGORIES

APPLICATION OF LOAD FACTORS TO SEATS AND BERTHS

Section 3.390 of this part requires that all seats, berths, and supporting structure be designed for maximum load factors corresponding to all specified flight and ground conditions, including the emergency conditions of § 3.386. This supplement outlines acceptable methods for applying the prescribed loads in analyses or tests.

Section 3.390–3 is adopted to read:

§ 3.390–3 *Application of loads (CAA policies which apply to § 3.390).* The actual forces acting on seats, berths, and supporting structure in the various flight, ground and emergency landing conditions will consist of many possible combinations of forward, sideward, downward, upward, and aft loads. However, in order to simplify the structural analysis and testing of these structures, it will be permissible to assume that the critical load in each of these directions, as determined from the prescribed flight, ground, and emergency landing conditions, acts separately. If the applicant desires, selected combinations of loads may be used, provided the required strength in all specified directions is substantiated (TSO C–25, Aircraft Seats and Berths, § 514.25 of this title, outlines acceptable methods for testing seats and berths)

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 603, 52 Stat. 1009, as amended; 49 U. S. C. 553)

These policies shall become effective September 30, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-8009; Filed, Sept. 16, 1953; 8:45 a. m.]

[Supp. 22]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

APPLICATION OF LOAD FACTORS TO SEATS AND BERTHS

Section 4b.358 of this part requires that all seats, berths, and supporting structure be designed with due account taken of the maximum load factors, inertia forces, and reactions corresponding with all relevant flight and ground load conditions, including the emergency landing conditions prescribed in § 4b.260. This supplement outlines acceptable methods for applying the prescribed loads in analyses or tests.

Section 4b.358–1 is adopted to read:

§ 4b.358–1 *Application of loads (CAA policies which apply to § 4b.358)* The actual forces acting on seats, berths, and supporting structure in the various flight, ground and emergency landing conditions will consist of many possible combinations of forward, sideward, downward, upward, and aft loads. However, in order to simplify the structural analysis and testing of these structures, it will be permissible to assume that the critical load in each of these directions, as determined from the prescribed flight, ground, and emergency landing conditions, acts separately. If the applicant desires, selected combinations of loads may be used, provided the required strength in all specified directions is substantiated. (TSO C–25, Aircraft Seats and Berths, § 514.25 of this title, outlines acceptable methods for testing seats and berths)

(Sec. 250, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 603, 52 Stat. 1009, as amended; 49 U. S. C. 553)

These policies shall become effective September 30, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-8010; Filed, Sept. 16, 1953; 8:45 a. m.]

[Supp. 8]

PART 6—ROTOCRAFT AIRWORTHINESS

APPLICATION OF LOAD FACTORS TO SEATS AND BERTHS

Section 6.355 of this part requires that all seats, berths, and supporting structure be designed for loads resulting from all specified flight and landing conditions, including the emergency conditions of § 6.260. This supplement outlines acceptable methods for applying the prescribed loads in analyses or tests.

Section 6.355–1 is adopted to read:

§ 6.355–1 *Application of loads (CAA policies which apply to § 6.355)* The actual forces acting on seats, berths, and supporting structure in the various flight, ground and emergency landing conditions will consist of many possible combinations of forward, sideward, downward, upward, and aft loads. However, in order to simplify the structural analysis and testing of these structures, it will be permissible to assume that the critical load in each of these directions, as determined from the prescribed flight, ground, and emergency landing conditions, acts separately. If the applicant desires, selected combinations of loads may be used, provided the required strength in all specified directions is substantiated. (TSO C–25, Aircraft Seats and Berths, § 514.25 of this title, outlines acceptable methods for testing seats and berths)

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 603, 52 Stat. 1009, as amended; 49 U. S. C. 553)

These policies shall become effective September 30, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-8011; Filed, Sept. 16, 1953; 8:45 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 45]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

MISCELLANEOUS AMENDMENTS

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 610 is amended as follows:

1. Section 610.14 *Green civil airway No. 4* is amended to read in part:

From—	To—	Minimum altitude
Zuni, N. Mex. (LFR)[1]	Grants, N. Mex. (LFR).	11,000
Grants, N. Mex. (LFR)	Albuquerque, N. Mex. (LFR).	10,000

[1] 10,000'—Minimum crossing altitude at Zuni (LFR), eastbound.

2. Section 610.15 *Green civil airway No. 5* is amended to read in part:

From—	To—	Minimum altitude
Ambrose (INT), N. J.	Mitchel AFB, N. Y. (LFR).	1,500
Mitchel AFB, N. Y. (LFR).	St. James (INT), N. Y.	1,500
Dallas (INT), Tex.	Greenville (INT), Tex.	1,900
Greenville (INT), Tex.	Sulphur Springs, Tex. (LF/RBN).	1,800
Sulphur Springs, Tex. (LF/RBN).	Texarkana, Ark. (LFR).	1,700
Texarkana, Ark. (LFR).	Pine Bluff, Ark. (LF/RBN).	1,600
Pine Bluff, Ark. (LF/RBN).	Memphis, Tenn. (LFR).	1,500

3. Section 610.101 *Amber civil airway No. 1* is amended to read in part:

From—	To—	Minimum altitude
Farewell, Alaska (LFR).	McGrath, Alaska (LFR).	4,000

4. Section 610.107 *Amber civil airway No. 7* is amended to read in part:

From—	To—	Minimum altitude
Philadelphia, Pa. (LFR).	North Philadelphia, Pa. (LFR).	1,800
North Philadelphia, Pa. (LFR).	Newark, N. J. (LFR).	1,500

5. Section 610.211 *Red civil airway No. 11* is amended to read in part:

From—	To—	Minimum altitude
Int. NW crs. Enid, Okla. (LFR) (Vance AFB), and NE crs. Gage, Okla. (LFR).	Enid, (Vance AFB), Okla.	2,600

6. Section 610.213 *Red civil airway No. 13* is amended to read in part:

From—	To—	Minimum altitude
Franklin (INT), Mass.	Bedford, Mass. (LF/RBN).	1,800

7. Section 610.219 *Red civil airway No. 19* is amended to read in part:

From—	To—	Minimum altitude
Wellington, Ohio (VAR).	Int. E crs. Wellington, Ohio (VAR) and NW crs. Akron, Ohio (LFR).	2,500

8. Section 610.223 *Red civil airway No. 23* is amended to read in part:

From—	To—	Minimum altitude
Lakehead, Canada (LFR).[1]	Houghton, Mich. (LFR).	2,800

[1] For that airspace over U. S. territory.

9. Section 610.237 *Red civil airway No. 37* is amended by adding:

From—	To—	Minimum altitude
Int. 215°–35° mag. crs. Montebello, Va. (VOR), and W crs. Lynchburg, Va. (LFR).	Lynchburg, Va. (LFR) (eastbound only).	3,000

10. Section 610.245 *Red civil airway No. 45* is amended to read in part:

From—	To—	Minimum altitude
Riverdale, Md. (LF/RBN).	Baltimore, Md. (LFR).	1,500

11. Section 610.258 *Red civil airway No. 58* is amended to read:

From—	To—	Minimum altitude
Salinas, Calif. (LFR)	Int. NE crs. Salinas, Calif. (LFR), and NW crs. Fresno, Calif. (LFR).	6,000

12. Section 610.281 *Red civil airway No. 81* is amended to eliminate:

From—	To—	Minimum altitude
Columbus, Ohio (LFR).	Parkersburg, W. Va. (VAR).	2,200
Parkersburg, W. Va. (VAR).	Sutton (INT), W. Va. (eastbound).	5,700
Sutton (INT), W. Va.	Parkersburg, W. Va. (VAR) (westbound).	3,700

13. Section 610.301 *Red civil airway No. 101* is added to read:

From—	To—	Minimum altitude
Tampa, Fla. (LFR)---	Miami, Fla. (LFR)---	1,400

14. Section 610.621 *Blue civil airway No. 21* is amended to eliminate:

From—	To—	Minimum altitude
Charleston, W. Va. (LFR).	Parkersburg, W. Va. (VAR).	2,500
Parkersburg, W. Va. (VAR).	Int. NE crs. Parkersburg W. Va. (VAR), and W crs. Pittsburgh, Pa. (LFR).	6,000

15. Section 610.675 *Blue civil airway No. 75* is amended to eliminate:

From—	To—	Minimum altitude
Miami, Fla. (LFR)----	Tampa, Fla. (LFR)--	1,400

16. Section 610.681 *Blue civil airway No. 81* is amended to read in part:

From—	To—	Minimum altitude
Charleston, W. Va. (LFR).	Zanesville, Ohio (LF/RBN).	2,500

17. Section 610.6003 *VOR civil airway No. 3* is amended by adding:

From—	To—	Minimum altitude
Hartford, Conn. (VOR).	Millbury (INT), Mass.	2,400
Millbury (INT), Mass.	Boston, Mass. (VOR).	[1] 3,000

[1] 2,000'—Minimum terrain clearance altitude.

18. Section 610.6008 *VOR civil airway No. 8* is amended to read in part:

From—	To—	Minimum altitude
Grand Island, Nebr. (VOR).	Omaha, Nebr. (VOR).	[1] 3,700

[1] 3,200'—Minimum terrain clearance altitude.

19. Section 610.6012 *VOR civil airway No. 12* is amended to read in part:

From—	To—	Minimum altitude
Zuni, N. Mex. (VOR)--	Grants, N. Mex. (VOR).	11,000
Grants, N. Mex. (VOR).	Albuquerque, N. Mex. (VOR).	10,000

20. Section 610.6014 *VOR civil airway No. 14* is amended to read in part:

From—	To—	Minimum altitude
Buffalo, N. Y. (VOR)--	Rochester, N. Y. (VOR).	2,100
East Pembroke, N. Y. (FM).	Buffalo, N. Y. (VOR) (westbound only).	1,000

21. Section 610.6038 *VOR civil airway No. 38* is amended by adding:

From—	To—	Minimum altitude
Columbus, Ohio (VOR).	Parkersburg, W. Va. (VOR).	2,500

22. Section 610.6044 *VOR civil airway No. 44* is amended by adding:

From—	To—	Minimum altitude
Columbus, Ohio (VOR).	Parkersburg, W. Va. (VOR).	2,500

23. Section 610.6098 *VOR civil airway No. 98* is added to read:

From—	To—	Minimum altitude
Erie, Pa. (VOR)------	Elmira, N. Y. (VOR).	[1] 6,000

[1] 4,500'—Minimum terrain clearance altitude.

24. Section 610.6116 *VOR civil airway No. 116* is added to read:

From—	To—	Minimum altitude
Erie, Pa. (VOR)------	Bradford, Pa. (LF/RBN).	4,000
Bradford, Pa. (LF/RBN).	Wilkes-Barre, Pa. (VOR).	[1] 8,000

[1] 4,500'—Minimum terrain clearance altitude.

25. Section 610.6128 *VOR civil airway No. 128* is added to read:

From—	To—	Minimum altitude
Greensboro, N. C. (VOR).	Raleigh, N. C. (VOR).	2,000

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective September 22, 1953.

[SEAL] S. A. KELLY,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 53-8027; Filed, Sept. 16, 1953; 8:49 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

Subchapter B—Trade Practice Conference Rules

PART 93—CEDAR CHEST INDUSTRY

SUPERSEDURE

CROSS REFERENCE: For supersedure of the trade practice rules for the Cedar Chest Industry contained in Part 93, see Part 217 of this subchapter, *infra*.

[File No. 21-207]

PART 217—CEDAR CHEST MANUFACTURING INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act) and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of September 17, 1953.

Statement by the Commission. Revised Trade Practice Rules for the Cedar Chest Manufacturing Industry, formerly designated as the Cedar Chest Industry, are promulgated by the Federal Trade Commission as hereinafter set forth.

The industry is composed of persons, firms, corporations, and organizations engaged in the manufacture and sale of chests, wardrobes, and similar containers which are composed, or are represented as being composed, wholly or in part, of any kind or kinds of cedarwood and which are designed primarily for the storage of clothing, blankets, linens, and similar products.

The rules constitute a revision of those promulgated for the Cedar Chest Industry on May 12, 1933. Numerous changes, embodying clarification of the applicable requirements of laws administered by the Commission, have been made.

Primary objectives of the rules are the maintenance of free and fair competition in the industry and the elimination and prevention of unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses. They are to be applied to such end and to the exclusion of any unlawful acts or practices which suppress competition or otherwise restrain trade.

Proceedings to revise the trade practice rules previously promulgated for the industry were instituted pursuant to an industry application. A draft of suggested rules, prepared in cooperation with industry representatives, was discussed in a trade practice conference held in Chicago, Illinois. Subsequently, proposed rules in appropriate form were published by the Commission and made available to all industry members and

other interested or affected parties upon public notices whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, amendments, or objections as they desired to offer and to be heard in the premises. Pursuant to such notices, public hearings were held in Washington, D. C., and all matters there presented, or otherwise received in the proceeding, were duly considered by the Commission.

Thereafter, and upon full consideration of the entire matter, final action was taken by the Commission whereby it approved and received, respectively, the Group I and Group II rules hereinafter set forth.

Such rules become operative thirty (30) days from the date of their promulgation.

The rules. These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which fixes or controls prices through combination or agreement, or which unreasonably restrains trade or suppresses competition or otherwise unlawfully injures, destroys, or prevents competition, that the rules are to be applied.

Sec.

217.0 Definition f industry products.

GROUP I

217.1 Misrepresentation in general.
217.2 Requirements for designations "cedar chest" "cedar wardrobe" etc.
217.3 Claims and representations of affording protection from moth larvae damage.
217.4 Guarantees, warranties, etc.
217.5 Deceptive use of trade or corporate names, trade-marks, etc.
217.6 Misrepresentation as to character of business.
217.7 Misrepresenting products as conforming to standard.
217.8 Imitation of trade-marks, trade names, etc.
217.9 Substitution of products.
217.10 Procurement of competitors' confidential information.
217.11 Defamation of competitors or disparagement of their products.
217.12 Commercial bribery.
217.13 Coercing purchase of one product as a prerequisite to the purchase of other products.
217.14 Selling below cost.
217.15 Inducing breach of contract.
217.16 Enticing away employees of competitors.
217.17 Prohibited forms of trade restraints (unlawful price fixing, etc.).
217.18 Prohibited discrimination.
217.19 Aiding or abetting use of unfair trade practices.

GROUP II

217.101 Maintenance of accurate records.
217.102 Price lists.

AUTHORITY: §§ 217.0 to 217.102 issued under sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45.

§ 217.0 *Definition of industry products.* As used in this part the term "industry products" shall be understood to include chests, wardrobes, and similar containers which are composed, or are represented as being composed, wholly or in part, of any kind or kinds of cedarwood and which are designed primarily for the storage of clothing, blankets, linens, and similar products.

GROUP I

General statement. The unfair trade practices embraced in §§ 217.1 to 217.19 are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, firm, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

§ 217.1 *Misrepresentation in general.* The practice of selling, advertising, describing, or otherwise representing industry products in a manner which is false or which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public in respect to the grade, quality, or quantity of the product, its price, value, efficacy, moth-killing or moth-repelling properties, composition, nature, use, preparation, manufacture, or distribution, or in any other material respect, is an unfair trade practice. [Rule 1]

§ 217.2 *Requirements for designations "cedar chest" "cedar wardrobe" etc.* (a) In the sale, offering for sale, or distribution of an industry product, it is an unfair trade practice to designate any such product as a "cedar chest" "cedar wardrobe" etc., unless 70 percent or more of the body proper of the product is composed of panels made from red cedar (Juniperus Virginiana) of a uniform thickness of not less than three-fourths of an inch and the product is aroma tight: *Provided, however* That if the exterior of such product is of wood other than cedar, a disclosure of such fact shall be made conspicuously and in close conjunction with the designation.

(b) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice to designate any such products as "cedar lined" "cedar veneered" etc., unless such products are so lined or veneered, as the case may be, and the designation is closely accompanied by (1) an affirmative and conspicuous disclaimer as to affording protection from moth larvae damage and (2) a conspicuous disclosure as to the presence of woods other than cedar in the industry product.

NOTE: Nothing in this section is to be regarded as warranting representations by industry members that industry products which fulfill the requirements set forth in paragraph (a) of this section conform to "recommendations" of the Federal Trade Commission.

[Rule 2]

§ 217.3 *Claims and representations of affording protection from moth larvae damage.* (a) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice to make or publish any false, misleading, or deceptive statement or representation, by way of advertisement, label, brand, or otherwise, concerning the moth-killing or moth-repelling qualities of such products or as to any protection against moth larvae damage afforded by such products to articles stored therein, or to make or publish any claim or representation with respect to the toxicity of said products to insects which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers.

(b) Under the rules in this part, when industry products do not afford complete, absolute, and lasting protection against moth larvae damage with respect to products stored therein which are made, wholly or in part, of animal fiber (wool, fur, hair, or feathers), or when affording such protection only when the products stored therein have been completely ridded of all stages of moth development and life (by cleaning, airing, brushing, combing, beating, or otherwise) they shall not be represented as "mothproof" as "guaranteed mothproof" or as "affording protection from moth damage" or have applied thereto any other term or phrase denoting or implying complete, absolute, and/or unconditional protection against moth damage to clothing and property stored therein: *Provided, however,* That when the composition and construction of any industry product is such as to fulfill the composition and construction requirements specified in paragraph (a) of § 217.2, it may be unqualifiedly described and represented as being "moth resistant" or "moth repellent": *And provided further,* That when any such product fulfills the composition and construction requirements specified in paragraph (a) of § 217.2, it may also be represented as "affording protection against moth damage" when in close conjunction and with reasonably adequate conspicuousness with such representation there is an adequate and nondeceptive disclosure of the fact that clothing and other articles which are stored in the industry product must first be ridded of any and all forms of moth life.

(c) Nothing in this section, in § 217.4, or in any of the other sections, is to be construed as inhibiting manufacturers of industry products who do not sell directly to consumer-buyers from representing in advertisements of their products that they will make available to each consumer-buyer of such products a written guarantee against moth damage, when—

(1) Such a guarantee is in fact made available to each consumer-purchaser within a reasonable time after consummation of purchase; and

(2) The guarantee does not contain any unusual conditions or limitations, and the terms and conditions thereof are clearly and nondeceptively stated therein; and

(3) The obligations of the guarantor with respect to the guarantee are scrupulously fulfilled by the guarantor; and

(4) Written instructions as to conditioning of clothing and other property for storage in the product (cleaning, airing, brushing, combing, beating, etc.)

are attached to each industry product in such a manner as reasonably to assure of remaining thereon until consummation of consumer sale and are so placed on the product and are of such conspicuousness as likely to be noticed by prospective purchasers of the product; and

(5) Mention is made in the advertisement and in close conjunction with the said representation that instructions as to cleaning or other conditioning of clothing and other property for storage in industry products are attached to such products; and

(6) The construction and composition of the products advertised are such as to fulfill the construction and composition requirements specified in paragraph (a) of § 217.2.

(d) Nothing in this section, in § 217.4, or any of the other sections, is to be construed as inhibiting manufacturers of industry products who do not sell directly to consumer-buyers from advertising that such products will afford protection from moth damage when there is compliance with the requirements of subparagraphs (4) (5) and (6) of paragraph (c) of this section. [Rule 3]

§ 217.4 *Guarantees, warranties, etc.* (a) In the sale, offering for sale, or distribution of industry products, it is unfair trade practice—

(1) To make or offer any guarantee respecting an industry product unless the nature and extent of the undertaking, and any and all material conditions and limitations applicable thereto, are clearly and conspicuously stated in immediate conjunction, and unless the obligations of the guarantor with respect to the guarantee are scrupulously fulfilled; or

(2) To make or offer any guarantee to the effect that an industry product will afford protection from moth damage with respect to clothing and other products stored therein when such protection is dependent on the stored products being free of all moth life before storage and when the guarantee is not immediately accompanied by an adequate and nondeceptive disclosure of such fact.

(b) Nothing in the rules in this part is to be construed as inhibiting an industry member from representing that an industry product is guaranteed to afford protection from moth damage when the product fulfills the construction and composition requirements specified in paragraph (a) of § 217.2 and when the nature and extent of the guarantee, and any and all material conditions and limitations applicable thereto, are clearly and conspicuously stated in conjunction.

(c) Nothing in this section is to be construed as limiting or otherwise affecting the provisions of paragraph (c) of § 217.3.

(d) The inhibitions of this section shall also be applicable to warranties. [Rule 4]

§ 217.5 *Deceptive use of trade or corporate names, trade-marks, etc.* The use of any trade name, corporate name, trade-mark, or other trade designation which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public as to the name, nature, efficacy, or origin of any product of the industry, or any material used therein, or which is false or misleading in any other respect, is an unfair trade practice. [Rule 5]

§ 217.6 *Misrepresentation as to character of business.* It is an unfair trade practice for any industry member, in the course of or in connection with the distribution of industry products, to represent, directly or indirectly, that he is a producer or manufacturer of industry products when such is not the fact, or in any other manner to misrepresent the character, extent, or type of his business. [Rule 6]

§ 217.7 *Misrepresenting products as conforming to standard.* Representing, through advertisement or otherwise, that any products of the industry conform to a standard recognized in or applicable to the industry when such is not the fact, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 7]

§ 217.8 *Imitation of trade-marks, trade names, etc.* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 8]

§ 217.9 *Substitution of products.* The practice of shipping or delivering products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without the consent of the purchasers to such substitutions and with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 9]

§ 217.10 *Procurement of competitors' confidential information.* It is an unfair trade practice for any member of the industry to obtain information concerning the business of a competitor by bribery of an employee or agent of such competitor, by false or misleading statements or representations, by the impersonation of one in authority, or by any other unfair means, and to use the information so obtained so as substantially to injure competition or unreasonably restrain trade. [Rule 10]

§ 217.11 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of competitors' products in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 11]

§ 217.12 *Commercial bribery.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured and sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 12]

§ 217.13 *Coercing purchase of one product as a prerequisite to the purchase of other products.* The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be substantially to lessen competition or tend to create a monopoly or unreasonably to restrain trade, is an unfair trade practice. [Rule 13]

§ 217.14 *Selling below cost.* (a) The practice of selling products of the industry at a price less than the cost thereof to the seller, with the intent or purpose, and where the effect may be, to injure, suppress, or stifle competition or tend to create a monopoly in the production or sale of such products, is an unfair trade practice.

(b) As used in this section the term "cost" means the total cost to the seller, including the costs of acquisition, processing, preparation for marketing, sale, and delivery. All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this section. The costs referred to in this section are actual costs of the respective seller and not some other figure or average costs in the industry determined by an industry cost survey or otherwise.

(c) This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued with the wrongful intent or purpose referred to and where the effect may be to injure, destroy, or prevent competition, or tend to create a monopoly. [Rule 14]

§ 217.15 *Inducing breach of contract.* It is an unfair trade practice to induce or attempt to induce the breach of existing lawful contracts between competitors and their customers or their suppliers by any false or deceptive means whatsoever, or to interfere with or obstruct the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their business. [Rule 15]

§ 217.16 *Enticing away employees of competitors.* Knowingly enticing away employees or sales representatives of competitors under any circumstances having the capacity and tendency or effect of substantially injuring or lessening present or potential competition is an unfair trade practice: *Provided,* That nothing in this section shall be construed as prohibiting employees from seeking more favorable employment, or

as prohibiting employers from hiring or offering employment to employees of competitors in good faith and not for the purpose of injuring, destroying, or preventing competition. [Rule 16]

§ 217.17 *Prohibited forms of trade restraints (unlawful price fixing, etc.)* [1] It is an unfair trade practice for any member of the industry, either directly or indirectly, to engage in any planned common course of action, or to enter into or take part in any understanding, agreement, combination, or conspiracy, with one or more members of the industry, or with any other person or persons, to fix or maintain the price of any goods or otherwise unlawfully to restrain trade; or to use any form of threat, intimidation, or coercion to induce any member of the industry or other person or persons to engage in any such planned common course of action, or to become a party to any such understanding, agreement, combination, or conspiracy. [Rule 17]

§ 217.18 *Prohibited discrimination* [2]—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality where either or any of the purchases involved therein are in commerce, and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with the customers of either of them: *Provided, however*—

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing contained in this paragraph shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

NOTE: This proviso shall not be construed as permitting an industry member to allow a price differential to a customer, whether in the form of a quantity price discount, rebate, or other form, through billing as a single order an aggregate of the amount of two or more orders of such customer on which the industry member makes separate deliveries, when the price differential allowed is not based on a net savings in cost of manufacture, sale, and delivery of the products to said customer resulting from the different method and quantity in which the products are sold and delivered to said customer, or is more than due allowance for such net savings; nor is this proviso to be construed as permitting an industry member to allow a price differential to a customer, whether in the form of a quantity price discount, rebate, or other form, when, pursuant to agreement or understanding by the industry member and the customer, delivery of the products purchased is to be delayed or made in installments so as to involve storage cost to the industry member, and when as a result of such cost or otherwise, the price differential allowed is not based on a net savings in cost of manufacture, sale, and delivery of the products to said customer resulting from the different method and quantity in which the products are sold and delivered to said customer, or is more than due allowance for such net savings.

(3) That nothing contained in this paragraph shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing contained in this paragraph shall prevent price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Exemptions.* The inhibitions of this section shall not apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.

NOTE. In complaint proceedings charging discrimination in price or services or facilities furnished, and upon proof having been made of such discrimination, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged; and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That nothing herein contained shall prevent a seller rebutting the prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor. See Sec. 2-b, Clayton Act.

[Rule 18]

§ 217.19 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in the rules in this part. [Rule 19]

[1] The inhibitions of this section are subject to Public Law 542, approved July 14, 1952—66 Stat. 632 (the McGuire Act) which provides that with respect to a commodity which bears, or the label or container of which bears, the trade-mark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, a seller of such a commodity may enter into a contract or agreement with a buyer thereof which establishes a minimum or stipulated price at which such commodity may be resold by such buyer when such contract or agreement is lawful as applied to intrastate transactions under the laws of the State, Territory, or territorial jurisdiction in which the resale is to be made or to which the commodity is to be transported for such resale, and when such contract or agreement is not between manufacturers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other.

[2] As used in this section, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States"

GROUP II

General statement. Compliance with trade practice provisions embraced in §§217.101 to 217.102 is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not per se constitute violation of law. Where, however, the practice of not complying with §§ 217.101 to 217.102 is followed in such manner as to result in unfair methods of competition or unfair or deceptive acts or practices in commerce, corrective proceedings in respect thereto may be instituted by the Commission as in the case of violation of §§217.1 to 217.19.

§ 217.101 *Maintenance of accurate records.* It is the judgment of the industry that each member should independently keep proper and accurate records for determining his costs. [Rule A]

§ 217.102 *Price lists.* (a) The industry approves the practice of each individual member of the industry independently publishing and circulating to the purchasing trade his own price lists.

(b) The industry approves the practice of making the terms of sale a part of all published price schedules. [Rule B]

Industry committee. A Committee on Trade Practices is hereby authorized to cooperate with the Federal Trade Commission and to perform such acts as may be legal and proper in the furtherance of fair competitive practices and in promoting the effectiveness of the rules.

Issued: September 14, 1953.

Promulgated by the Federal Trade Commission September 17, 1953.

[SEAL] ALEX. AKERMAN, Jr.,
Secretary.

[F. R. Doc. 53-8045; Filed, Sept. 16, 1953; 8:53 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

PART 130—OPERATION AND MAINTENANCE CHARGES

SAN CARLOS INDIAN IRRIGATION PROJECT, ARIZONA; ASSESSMENTS, JOINT WORKS

SEPTEMBER 2, 1953.

On July 18, 1953 (18 F R. 4219) there was published a notice of intention to amend § 130.63 of Title 25, Code of Federal Regulations, to increase the annual rate of assessments for the operation and maintenance of the Joint Works part of the San Carlos Indian Irrigation Project, Arizona (the works serving the Indian and non-Indian lands) from $1.15 per acre to $1.20 per acre, for the 100,000 acres of project lands. Interested persons desiring to participate in formulating the amendment could do so by filing written statements or data with the Area Director of the Bureau of Indian Affairs, with headquarters at Phoenix, Arizona, not later than August 17, 1953. Within the time allowed no objections were filed with the Director. I have therefore, concluded that the total amount of the estimated assessment should be $120,000 or $1.20 per acre annually, effective for the fiscal year 1955 and thereafter until further notice.

Accordingly § 130.63 of Title 25, Code of Federal Regulations is amended to read as follows:

§ 130.63 *Assessments, joint works.* (a) Pursuant to the act of Congress approved June 7, 1924 (43 Stat. 476) and supplementary acts, and the repayment contracts of June 8, 1931, as amended, between the United States and the San Carlos Irrigation and Drainage District, and in accordance with applicable provisions of the order of the Secretary of the Interior of June 15, 1938 (§§ 130.69a to 130.69m) the cost of the operation and maintenance of the Joint Works of the San Carlos Indian Irrigation Project for the fiscal year 1955 is estimated to be $120,000 and the rate of assessment for the said fiscal year and subsequent years until further order, is hereby fixed at $1.20 for each acre of land.

The foregoing changes are to become effective for the fiscal year 1955 and continue thereafter until further notice; the assessment for that part payable by the San Carlos Irrigation and Drainage District being due in advance of such fiscal year on March 1; for that part payable for the 50,000 acres of Indian land will be as provided in §§ 130.110 to 130.116, inclusive.

(Secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U. S. C. 385)

[SEAL] L. L. NELSON,
Acting Area Director.

[F. R. Doc. 53-8012; Filed, Sept. 16, 1953; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XXI—Defense Rental Areas Division, Office of Defense Mobilization

[Rent Regulation 1, Amdt. 158 to Schedule A]

[Rent Regulation 2, Amdt. 156 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

ALABAMA, KENTUCKY, AND MARYLAND

Effective September 18, 1953, Rent Regulation 1 and Rent Regulation 2 are amended so that the items of Schedule A indicated below read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 11th day of September 1953.

GLENWOOD J. SHERRARD,
Director, Defense Rental Areas Division.

(3) [Revoked and decontrolled.]
(124) [Revoked and decontrolled.]
(139) [Revoked and decontrolled.]

These amendments decontrol the following defense-rental areas on the initiative of the Director, Defense Rental Areas Division, Office of Defense Mobilization, under section 204 (c) of the act: Camp Rucker, Alabama; Fort Knox, Kentucky and Bainbridge-Elkton, Maryland, Defense-Rental Areas.

[F. R. Doc. 53-8042; Filed, Sept. 16, 1953; 8:53 a. m.]

[Rent Regulation 3, Amdt. 148 to Schedule A]

[Rent Regulation 4, Amdt. 92 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

ALABAMA, KENTUCKY AND MARYLAND

Effective September 18, 1953, Rent Regulation 3 and Rent Regulation 4 are amended so that the items of Schedule A indicated below read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

GLENWOOD J. SHERRARD,
Director, Defense Rental Areas Division.

(3) [Revoked and decontrolled.]
(124) [Revoked and decontrolled.]
(139) [Revoked and decontrolled.]

These amendments decontrol the following defense-rental areas on the initiative of the Director, Defense Rental Areas Division, Office of Defense Mobilization, under section 204 (c) of the act; Camp Rucker, Alabama; Fort Knox, Kentucky; and Bainbridge-Elkton, Maryland, Defense-Rental Areas.

[F. R. Doc. 53-8043; Filed, Sept. 16, 1953; 8:53 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 84—PAYMENT OF CERTIFICATES AND INTEREST

PAYMENT MADE ON DEMAND

Section 84.1 *Payment made on demand* is amended to read as follows:

§ 84.1 *Payment made on demand.* Any depositor may withdraw the whole or any part of the funds deposited to his or her credit, with the accrued interest, upon demand. Effective October 1, 1953, however, with respect to certificates issued on and after that date, if withdrawal is made within one month from the date of issue as shown on the certificate, there shall be a service charge of 10 cents for each certificate (regardless of denomination) surrendered. The service charge shall be evidenced and accounted for by the purchase of a 10-cent ordinary postage stamp or equivalent which shall be affixed to the surrendered certificate.

(R. S. 161, 396, secs. 1, 8, 36 Stat. 814, as amended, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 751, 758)

[SEAL] ROSS RIZLEY,
Solicitor.

[F. R. Doc. 53-8014; Filed, Sept. 16, 1953; 8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular No. 1859]

PART 70—MINERAL LANDS; COAL PERMITS AND LEASES, AND LICENSES FOR FREE USE OF COAL

PART 71—MINERAL LANDS; OIL AND GAS, PHOSPHATE AND OIL SHALE LEASES, AND POTASH AND SODIUM PERMITS AND LEASES

PART 76—SCHOOL LAND RESERVATION; GRANT FOR UNIVERSITY

SCHOOL SECTIONS

In order to show the conditions under which school sections in Alaska which have been reserved to the Territory as set forth in Part 76 may now be leased under the mineral leasing laws, the following amendments and additions are made to Parts 70 and 71, and cross-reference as shown below is added to Part 76.

1. The following text is added to Part 70.

SCHOOL SECTIONS

§ 70.30 *Coal permits and leases.* Under the act of August 5, 1953 (67 Stat. 364) amending section 1 of the act of March 4, 1915 (38 Stat. 1214; 48 U. S. C. 353) coal permits and leases may be issued under the act of October 20, 1914 (38 Stat. 741, 48 U. S. C. 434) as amended, and the regulations thereunder in this part, on lands reserved to the Territory of Alaska for educational uses by the said act of March 4, 1915. The act also provides that should a State be created out of the Territory of Alaska during the life of the permit, lease or contract, all right, title and interest of the United States under such lease, permit or contract, including any authority to modify its terms and conditions retained by the United States, shall vest in the State to which title to the lands is transferred.

§ 70.31 *Occupation and use of the surface by coal permittees or lessees.* Permits and leases issued for the land will be subject to the condition that the permittee or lessee shall compensate any Territorial lessee of the surface of the leased lands or any part thereof for any resulting damages to any crops, improvements or other property of the surface lessee on the land or for any interference with such lessee's normal and proper use of the land for the purpose or purposes for which it was leased. The amount of such damages in any case may be determined by agreement between the parties or by an action in the local courts. Each permittee or lessee for such lands must furnish and maintain at all times a bond in the penal sum of not less than $1,000 for the protection of the surface lessee except that where a bond in not less than that amount is required to be furnished for other purposes, it may be also conditioned on the protection of that lessee.

2. New §§ 71.4 and 71.5 are added to Part 71 and § 71.3 is amended, as follows:

SCHOOL SECTIONS

§ 71.3 *Potassium and sodium permits and leases and oil and gas, oil shale and phosphate leases.* Under the act of August 5, 1953, amending section 1 of the act of March 4, 1915 (38 Stat. 1214; 48 U. S. C. 353) permits or leases for the prospecting for or mining of oil, gas, oil shale, phosphate, sodium or potassium deposits may be issued under the act of February 25, 1920 (41 Stat. 437; 30 U. S. C. 181, et seq.) as amended, and the regulations thereunder, as supplemented by the regulations in this part, on lands reserved to the Territory for educational uses by the said act of March 4, 1915.

§ 71.4 *Occupation and use of the surface by permittees and lessees.* Permits and leases issued for the land will be subject to the condition that the permittee or lessee shall compensate any Territorial lessee of the surface of the leased lands or any part thereof for any resulting damages to any crops, improvements or other property of the surface lessee on the land or for any interference with such lessee's normal and proper use of the land for the purpose or purposes for which it was leased. The amount of such damages in any case may be determined by agreement between the parties or by an action in the local courts. Each permittee or lessee for such lands must furnish and maintain at all times a bond in the penal sum of not less than $1,000 for the protection of the surface lessee except that where a bond in not less than that amount is required to be furnished for other purposes, it may be also conditioned on the protection of that lessee. The act also provides that should a State be created out of the Territory of Alaska during the life of the permit, lease or contract, all right, title and interest of the United States under such lease, permit or contract, including any authority to modify its terms and conditions retained by the United States, shall vest in the State to which title to the lands is transferred.

§ 71.5 *Preference rights.* The act provides that any person qualified to hold an oil and gas lease who had first filed in point of time and had pending on January 15, 1953, an offer or application for an oil and gas lease for any lands subject to the act which on said date were within the limits of a unitized area created by a unit agreement approved by the Secretary of the Interior and which were on the date the offer or application was filed not within the known geological structure of a producing oil or gas field shall have a preference right over others to an oil and gas lease for such lands.

(Sec. 32, 41 Stat. 450; 30 U. S. C. 189)

3. The following cross-reference is added after § 76.4.

CROSS REFERENCE: For the leasing of school sections under the mineral leasing laws, see §§ 70.30, 70.31, 71.3, 71.4 and 71.5 of this chapter.

DOUGLAS MCKAY,
Secretary of the Interior.

SEPTEMBER 10, 1953.

[F. R. Doc. 53-8013; Filed, Sept. 16, 1953; 8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10562]

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606, *Table of Assignments,* rules governing television broadcast stations; Docket No. 10562.

1. The Commission has under consideration its notice of proposed rule making issued on June 29, 1953 (FCC 53-777) and published in the FEDERAL REGISTER on July 7, 1953 (18 F. R. 3943), proposing to assign Channel 5 to Lake Placid, New York.

2. The time for filing comments in this proceeding expired July 20, 1953. No comments were filed opposing the assignment of Channel 5 to Lake Placid, New York. The Commission finds that the assignment of Channel 5 to Lake Placid would comply with the Commission's rules, and that a finalization of the proposal would serve the public interest.

3. Authority for the adoption of the amendment is contained in sections 4 (i), 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

4. In view of the foregoing, *It is ordered,* That effective 30 days from publication in the FEDERAL REGISTER, the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is amended as follows:

1. Add to Table of Assignments under the State of New York:

	Channel No.
Lake Placid	5

2. Change the Channel 5 assignment in Bangor, Maine, from 5— to 5+.

3. Change the Channel 5 assignment in Boston, Mass., from 5 to 5—.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 48 Stat. 1081, 1082, as amended, 1084; 47 U. S. C. 301, 303, 307)

Adopted: September 9, 1953.

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 53-8030; Filed, Sept. 16, 1953; 8:50 a. m.]

[Docket No. 10600]

PART 9—AVIATION SERVICES

FREQUENCIES AVAILABLE

In the matter of amendment of § 9.312 (e) of the Commission's rules and regulations governing aeronautical services; Docket No. 10600.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of September 1953;

The Commission having under consideration its proposal in the above-entitled matter, which would, in accordance with paragraph 789 of the Atlantic City Agreement (1947) require the use of the frequency 8364 kilocycles by lifeboats, liferafts and other survival craft for search and rescue communications with stations of the maritime mobile services; and

It appearing, that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, general notice of proposed rule making in this matter, which made provision for the submission of written comments by interested parties, was duly published in the FEDERAL REGISTER on August 7, 1953 (18 F. R. 4682) and that the period provided for the filing of comments has now expired; and

It further appearing, that no objections to the proposed amendment have been filed; and that international obligations require the change become effective on October 1, 1953;

It further appearing, that the proposed amendment is issued pursuant to the authority contained in sections 303 (c) (f) and (r) of the Communications Act of 1934, as amended;

It is ordered, That effective October 1, 1953, § 9.312 (e) of Part 9 of the Commission's rules is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1033, as amended; 47 U. S. C. 303)

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

Effective October 1, 1953, § 9.312 (e) of the Commission's rules governing aviation services is amended to read as follows:

§ 9.312 *Frequencies available.* * * *

(e) 8364 kilocycles: Frequency for use by lifeboats, liferafts and other survival craft for search and rescue communications with stations of the maritime mobile service.

[F. R. Doc. 53-8031; Filed, Sept. 16, 1953; 8:50 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 10685]

RADIO BROADCAST SERVICES

EXTENSION OF USE OF CERTAIN FREQUENCIES IN TERRITORIES AND POSSESSIONS OF U. S.

In the matter of amendment of § 3.25 of Part 3 of the Commission's rules and regulations (Radio Broadcast Services) to permit more extensive use to be made of certain standard broadcasting frequencies in the Territories and possessions of the United States; Docket No. 10685.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend § 3.25 (d) of Part 3 of the Commission's rules to read as follows:

§ 3.25 *Clear channels: class I and II stations.* * * *

(d) In continental United States, for Class II stations which operate daytime only with power not in excess of 1 kilowatt and which will not deliver over 5 microvolts per meter groundwave at any point on the Mexican border, and in Alaska, Hawaii, Puerto Rico, and the Virgin Islands, for Class II stations which will not deliver over 5 microvolts per meter groundwave or 25 microvolts per meter 10 percent time skywave at any point on the said border: 730, 800, 900, 1050,[6] 1220[7] and 1570 kilocycles.

3. The purpose of this proposed amendment is to permit the use in Alaska, Hawaii, Puerto Rico and the Virgin Islands of the frequencies 730, 800, 900, 1050, 1220, and 1570 kilocycles by unlimited Class II stations with power up to the maximum permitted this Class. The Commission has determined that such use is not inconsistent with provisions of international agreements.

4. Authority for the adoption of the proposed amendments is contained in sections 4 (i), 303 (a) (b) (c) (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before October 13, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: September 9, 1953.

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-8033; Filed, Sept. 16, 1953; 8:50 a. m.]

[6] See North American Regional Broadcasting Agreement, Havana, 1937 (Appendix I, Table IV).

[7] See agreement with Mexico for further use of this channel.

[47 CFR Part 3]

[Docket No. 10686]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606 *Table of Assignments*, rules governing television broadcast stations; Docket No. 10686.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has before it a petition filed by H. L. Hunt and Coastal Bend Television Company, Corpus Christi, Texas, on August 17, 1953, and now made part of this docket, requesting an amendment of § 3.606 *Table of assignments*, rules governing television broadcast stations as follows:

City	Channel No.	
	Present	Proposed
Corpus Christi, Tex.	6+, 10—, *16+, 22.	6+, 10—, *16+, 22, 43.

3. In support of the requested amendment, petitioners urge that there are on file two applications for Channels 6 and 22 and three for Channel 10; that the size and importance of Corpus Christi warrant an additional assignment; that the proposed amendment would promote the establishment of a locally originated television service at an early date; and that the assignment of a second commercial UHF channel would permit the early establishment of two UHF services would better balance the relationship of UHF service to VHF service in the city and that the amendment as proposed would comply with the Commission's rules and standards.

4. Authority for the adoption of the proposed amendments is contained in sections 4 (i) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the amendment proposed by petitioners should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before October 13, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: September 9, 1953.

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 53-8034; Filed, Sept. 16, 1953; 8:51 a. m.]

[47 CFR Part 3]

[Docket No. 10687]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606 *Table of Assignments,* rules governing television broadcast stations; Docket No. 10687.

1. Notice is hereby given that the Commission has received a proposal for rule making in the above-entitled matter.

2. The Commission has before it a petition filed on July 10, 1953, by Lawrence A. Harvey, Los Angeles, California, and now made part of this docket, requesting an amendment of § 3.606 *Table of assignments,* rules governing television broadcast stations, to add the assignment of Channel 50 to Washington, D. C., as follows:

City	Channel No.	
	Present	Proposed
Washington, D. C.	4−, 5−, 7+ 9− 20+ *26−	4− 5− 7+ 9− 20+ *26−, 50−

The following changes with respect to the offset carrier requirements only would be required as a result of the assignment of Channel 50− to Washington, D. C..

City	Channel No.	
	Present	Proposed
Rocky Mount, N. C.	50	50+
Marion, Va.	50−	50

3. In support of his request for the additional assignment to Washington, D. C., petitioner states that all the VHF channels assigned to the area have been authorized and that there are three competing applications for the remaining UHF Channel 20. Petitioner urges that the proposed assignment would meet the requirements of the Commission's Rules; that it would further the development of UHF service by providing an additional channel to meet the demand evidenced by the applications on file for Channel 20; and that it would aid in bringing an additional early UHF operation in the area. It further appears that the proposed additional assignment would provide a second competitive commercial UHF service in the Washington, D. C., area.

4. Authority for the adoption of the proposed amendments is contained in sections 4 (i) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the amendment proposed by petitioner should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before October 13, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: September 9, 1953.

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 53-8035; Filed, Sept. 16, 1953; 8:51 a. m.]

[47 CFR Part 3]

[Docket No. 10688]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606 *Table of assignments,* rules governing television broadcast stations; Docket No. 10688.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It appears that additional assignments can be made to many communities listed in the table of assignments and that such additional assignments will help greatly in bringing television service to a large number of areas as soon as possible. Such additional assignments can be made without affecting other assignments in the table or applications which are on file with the Commission.

Accordingly, it is proposed to amend § 3.606 *Table of assignments,* rules governing television broadcast stations as follows:

Add to the Table of assignments:

State and city	*Channel No.*
Arkansas: Fort Smith	39
California:	
El Centro	56
Merced	66
Modesto	58
Stockton	64
Florida:	
Clearwater	50
Daytona Beach	53
Orlando	47
Indiana: Terre Haute	73+
Iowa:	
Ottumwa	63
Waterloo	46+
Kentucky:	
Lexington	70+
Paducah	72
Louisiana:	
Alexandria	74
Bogalusa	78
Lake Charles	60+
Maryland:	
Cumberland	30−
Hagerstown	68+
Missouri: Cape Girardeau	69
North Carolina:	
Asheville	76
Durham	73−
Fayetteville	54−
Goldsboro	72
Oregon:	
Klamath Falls	17
Salem	60
South Carolina:	
Charleston	17+
Florence	60
Spartanburg	74−
Texas:	
Big Spring	34+
Tyler	72
Washington: Wenatchee	67
West Virginia:	
Beckley	60
Clarksburg	69−
Wisconsin:	
Green Bay	70+
La Crosse	72

The above changes in assignments will require the following changes in the offset carrier requirements only as follows:

City	Channel No.	
	Present	Proposed
Red Wing, Minn.	63	63−
Duncan, Okla.	39	39−
Aiken, S. C.	51−	51

3. Authority for the adoption of the proposed amendment is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r)

and 307 (b) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed amendments should not be adopted or should not be adopted in the form set forth herein or who feels that additional assignments should be made to other communities in order to meet the stated objective may file with the Commission on or before October 13, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: September 9, 1953.

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-8036; Filed, Sept. 16, 1953; 8:51 a. m.]

[47 CFR Parts 7, 8]

[Docket No. 10684]

STATIONS ON LAND AND SHIPBOARD IN THE MARITIME SERVICES

EXTENSION OF TIME TO COMPLY WITH CERTAIN PROVISIONS

In the matter of amendments of Parts 7 and 8 of the Commission's rules to provide extension of time in which to comply with §§ 7.104 (b) 7.189 (c) and 8.106 (c) Docket No. 10684.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has received a request from the American Telephone & Telegraph Company for an extension of time beyond January 1, 1954, to July 1, 1954, in which to comply with §§ 7.104 (b) 7.189 (c) and 8.106 (c) of its rules which require (1) that public coast stations employing telephony in certain frequency bands be capable of transmitting and receiving on the frequencies 2182 kc and 156.8 Mc for calling and safety purposes, (2) maintenance of a safety watch on these frequencies by such public coast stations and (3) provision for specified multi-channel operation of VHF ship stations. Although it has initiated action to comply with these requirements, the Company states that certain difficulties, including equipment delivery delays, make additional time necessary. Proposed amendments for extension of time are set forth below.

3. It should be noted that the proposed amendments do not provide similar extension of time for limited ship stations to meet the requirement of § 8.106 (c). It is anticipated, however, that individual action will be taken providing deferment for a reasonable period in such cases where requests are made which show that the licensee has made timely and diligent effort to comply with the requirement.

4. These proposed amendments are issued under authority contained in sections 303 (b) (c) (f) and (r) of the Communications Act of 1934, as amended.

5. Any interested person who is of the opinion that the proposed amendments should not be adopted, or not adopted in the form set forth, may file with the Commission on or before October 13, 1953, a written statement or brief setting forth his comments. At the same time, any person who favors the rules as set forth may file a written statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within five days from the last day for filing said original comments or briefs. The Commission will consider all comments, briefs and statements presented before taking final action on the matter.

6. In accordance with the provisions of § 1.784 of the Commission's rules, an original and fourteen copies of statements, briefs or comments filed shall be furnished to the Commission.

Adopted: September 9, 1953.

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
WM. P MASSING,
Acting Secretary.

1. Section 7.104 (b) (1) and (2) is amended by substituting in each subparagraph (1) and (2) the date July 1, 1954, for the date January 1, 1954.

2. Section 7.189 (c) (1) and (2) is amended by substituting in each subparagraph (1) and (2) the date July 1, 1954, for the date January 1, 1954.

3. Section 8.106 (c) is amended to read as follows:

§ 8.106 *Required radio channels for telephony.* * * *

(c) Effective on and after January 1, 1954, each limited ship station, and each marine-utility station when used on board ship (except an experimental or developmental station) which is licensed to transmit by telephony on any radio-channel within the frequency band 156.25 Mc to 157.05 Mc, and effective July 1, 1954, each public ship station (except an experimental or developmental station) which is licensed to transmit on the radio-channel of which the assigned frequency is 157.3 Mc or 157.4 Mc, shall be capable of transmitting and receiving (and shall be licensed to transmit) class F3 emission on the radio-channel of which the authorized carrier frequencies are 156.3 Mc and 156.8 Mc and, in the case of limited ship or marine-utility stations, on at least one radio-channel in this frequency band which is authorized for communication with a coast station or stations; provided, that each ship station licensed prior to January 1, 1952, to use less than three radio-channels for telephony within this band under authority of an experimental or developmental station license, need not comply with this requirement, when authorized to use the same transmitting equipment under regular class of ship station license, until on and after January 1, 1955; provided further, that this requirement shall not apply to marine-utility stations or other stations of portable nature which are not capable of being readily adjusted for operation on more than one radio-channel. The requirement of this paragraph, in respect to basic type of equipment, may be satisfied by the provision of (1) multi-channel equipment, or (2) a plurality of single channel equipments, or (3) a combination thereof, at the option of the station licensee or the applicant for station license.

[F. R. Doc. 53-8037; Filed, Sept. 16, 1953; 8:51 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. SA-281]

ACCIDENT OCCURRING AT MICHIGAN CITY, IND.

NOTICE OF HEARING

In the matter of the air collision between aircraft of United States Registry N 94269 and N 73133 which occurred at Michigan City, Indiana, on August 26, 1953.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Thursday, September 24, 1953, at 9:00 a. m. (local time) in the Del Prado Hotel, 5307 South Hyde Park, Chicago, Illinois.

Dated at Washington, D. C., September 11, 1953.

[SEAL] EVERETT S. BOSWORTH,
Presiding Officer.

[F. R. Doc. 53-8044; Filed, Sept. 16, 1953; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9050, 10650]

CALIFORNIA INLAND BROADCASTING CO. AND KARM, THE GEORGE HARM STATION

ORDER CONTINUING HEARING

In re applications of California Inland Broadcasting Company, Fresno, California, Docket No. 9050, File No. BPCT-413; KARM, The George Harm Station,

Fresno, California, Docket No. 10650, File No. BPCT-1061, for construction permits for new television stations.

The Commission having under consideration a motion filed September 8, 1953, by California Inland Broadcasting Company requesting that the hearing in the above-entitled proceeding now scheduled to begin on September 21, 1953, be continued to September 28, 1953; and

It appearing that the requested continuance was discussed on September 4, 1953, at an informal conference between counsel for the applicants and the Commission, that counsel for both applicants desire the continuance, and that there are no objections to immediate consideration of the motion and the granting thereof;

It is ordered, This the 10th day of September 1953, that the motion for continuance is hereby granted and the hearing scheduled to begin September 21, 1953, is continued to September 28, 1953, to begin at 10:00 a. m., in the offices of the Commission at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
WM. P MASSING,
Acting Secretary.

[F. R. Doc. 53-8038; Filed, Sept. 16, 1953; 8:52 a. m.]

[Docket Nos. 10679, 10680]

ALF M. LANDON AND R. F. SCHOONOVER

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Alf M. Landon, Topeka, Kansas, Docket No. 10679, File No. BPCT-1079; R. F. Schoonover, Topeka, Kansas, Docket No. 10680, File No. BPCT-1313; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of September 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 42 in Topeka, Kansas; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated October 8, 1952, and August 14, 1953, that their applications were mutually exclusive; that a hearing would be necessary, that certain questions were raised as the result of deficiencies of a financial and technical nature in their applications; and that R. F. Schoonover was advised by the letter of August 14, 1953, that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and

It further appearing, that upon due consideration of the above-entitled applications, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory that Alf M. Landon is legally, financially, and technically qualified to construct, own and operate a television broadcast station; and that R. F Schoonover is legally qualified to construct, own and operate a television broadcast station and is technically so qualified except as to the matters referred to in the issues below:

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m., on October 9, 1953, in Washington, D. C., upon the following issues:

1. To determine whether R. F Schoonover is financially qualified to construct, own and operate his proposed television broadcast station.

2. To determine whether the engineering data contained in the above-entitled application of R. F. Schoonover is in accordance with the requirements of § 3.684 of the Commission's rules.

3. To determine the transmitter output and effective radiated power, as affected by the multiplexer losses, of the operation proposed by R. F Schoonover in his above-entitled application, with particular reference to the ratio of aural to visual effective radiated power required by §3.682 (a) (15) of the Commission's rules.

4. To determine the precise geographic coordinates of the television antenna site proposed by R. F. Schoonover in his above-entitled application.

5. To determine whether the installation of the station proposed by R. F Schoonover in his above-entitled application would constitute a hazard to air navigation.

6. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience or necessity in the light of the record made with respect to the significant differences between the applications with particular reference to the following:

(a) The background and experience of each of the above-named applicants having a bearing on his ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 53-8039; Filed, Sept. 16, 1953; 8:52 a. m.]

[Docket Nos. 10681, 10682, 10683]

SOUTHERN TIER RADIO SERVICE, INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Southern Tier Radio Service, Inc., Binghamton, N. Y., Docket No. 10681, File No. BPCT-892; Ottaway Stations, Inc., Endicott, N. Y., Docket No. 10682, File No. BPCT-1097; The Binghamton Broadcasters, Inc., Binghamton, N. Y., Docket No. 10683, File No. BPCT-1100; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of September 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 40 assigned to Binghamton, New York; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated July 15, 1953, that their applications were mutually exclusive, and that a hearing would be necessary; that Southern Tier Radio Service, Inc., was advised by the said letter that certain questions were raised as the result of deficiencies of a financial and technical nature; that other questions were raised as to whether its proposed operation meets the requirements of the Commission's rules and as to whether a grant of its application would serve the public interest, convenience and necessity; that Southern Tier Radio Service, Inc., was further advised by a letter dated August 25, 1953, that certain questions were raised as the result of deficiencies of a legal and financial nature in its application, as amended; that Ottaway Stations, Inc., was advised by the letter of July 15, 1953, that certain questions were raised as the result of deficiencies of a financial and technical nature in its application and as to whether the proposed operation meets the requirements of the Commission's rules, and that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and that The Binghamton Broadcasters, Inc. was advised by the letter of July 15, 1953, that certain questions were raised as the result of deficiencies of a financial nature in its application and that certain of its financial transactions brought into question its other qualifications to construct, own and operate its proposed television broadcast station; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters (Southern Tier Radio Service, Inc. not having replied to the letter of August 25,

1953) the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory· that Southern Tier Radio Service, Inc. is legally and technically qualified to construct, own and operate a television broadcast station; that Ottaway Stations, Inc. is legally, financially and technically qualified to construct, own and operate a television broadcast station; and that The Binghamton Broadcasters, Inc. is technically and legally qualified to construct, own and operate a television broadcast station except as to the matters referred to in the issues below· and

It further appearing, that the application of Ottaway Stations, Inc. proposed an antenna location in the vicinity of the antenna of standard broadcast station WNBF· that the installation and operation of the television antenna as proposed is possible and feasible without adversely affecting the ability of station WNBF to operate in accordance with the terms of its license; that appropriate proof thereof should be submitted after installation and operation of the said proposed antenna; and that a grant, if made, of the application should be subject to a condition in this respect as follows:

The construction authorized is subject to the condition that such shall not adversely affect the ability of standard broadcast station WNBF to operate in accordance with the terms of its license, particularly with respect to its antenna system, and that sufficient field intensity measurements of station WNBF shall be made before and after such construction to prove that no material effect thereon has resulted.

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m., on October 9, 1953, in Washington, D. C., upon the following issues:

1. To determine whether Southern Tier Radio Service, Inc. and The Binghamton Broadcasters, Inc. are financially qualified to construct, own and operate their proposed television broadcast stations.

2. To determine whether misrepresentations were made to the Commission by The Binghamton Broadcasters, Inc. with respect to its financial qualifications in its above-entitled application, in the light of the information contained in the application of Peoples Broadcasting Company for a permit to construct a television broadcast station in Lancaster, Pennsylvania (BPCT-654)

3. To determine on a comparative basis which of the operations proposed in the above-entitled applications would best serve the public interest, convenience or necessity in the light of the record made with respect to the significant differences among the applications with particular reference to the following:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-8040; Filed, Sept. 16, 1953; 8:52 a. m.]

[U. S. Change List 523]

U. S. STANDARD BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

SEPTEMBER 9, 1953.

Notification under the provisions of part III, section 2 of the North American Regional Broadcasting Agreement.

This notification consists of a list of changes, proposed changes, and corrections in Assignments of United States Standard Broadcast Stations modifying the Appendix containing assignments of United States Standard Broadcast Stations, Mimeograph #48126, attached to the "Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941" as amended.

UNITED STATES

Call letters	Location	Power (kw.)	Antenna	Schedule	Class	Date of FCC action	Proposed date of change or commencement of operation
		1230 kilocycles					
WTSK	Woodstock, Va. (delete assignment).						
		1490 kilocycles					
WLET	Toccoa, Ga.	5	ND	D	III		Now in operation with increased power.
(NEW)	St. Augustine, Fla.	1	ND	D	III	Sept. 9, 1953	Sept. 9, 1954.
		1540 kilocycles					
WDON	Wheaton, Md.	0.25	ND	D	II		Now in operation

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
WM. P. MASSING, *Acting Secretary.*

[F. R. Doc. 53-8041; Filed, Sept. 16, 1953; 8:52 a. m.]

[Docket No. 10603]

CLASS B FM BROADCAST STATIONS

REVISED TENTATIVE ALLOCATION PLAN

In the matter of amendment of the Revised Tentative Allocation Plan for Class B FM Broadcast Stations; Docket No. 10603.

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 9th day of September 1953;

The Commission having under consideration a proposal to amend the Revised Tentative Allocation Plan for Class B FM Broadcast Stations; and

It appearing, that notice of proposed rule making (FCC 53-952) setting forth the above amendment was issued by the Commission on July 31, 1953, and was duly published in the FEDERAL REGISTER (18 F. R. 4681) which notice provided that interested parties might file statements or briefs with respect to the said amendment on or before August 31, 1953; and

It further appearing, that no comments were received either favoring or opposing the adoption of the proposed reallocation;

It further appearing, that the immediate adoption of the proposed reallocation would facilitate consideration of a pending application requesting a Class B assignment in Bay Shore, New York;

It is ordered, That effective immediately, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended as follows:

General area	Channels	
	Delete	Add
Bay Shore, N. Y.		220
New York City, N. Y.	220	

Released: September 11, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-8032; Filed, Sept. 16, 1953; 8:50 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

REGIONAL REPRESENTATIVES AND ENGINEERS, REGIONS III (CHICAGO) AND IV (FORT WORTH)

DELEGATION OF AUTHORITY WITH RESPECT TO DISASTER RELIEF PROGRAM

1. The Regional Representatives and Regional Engineers, Regions III (Chicago) and IV (Fort Worth) of the Office of the Administrator Field Service, each with respect to matters within his respective region, are hereby authorized to execute proofs of loss and certificates of satisfaction on behalf of the United States with respect to any damages

caused to insured trailers or equipment relating thereto owned by the United States and provided for use in connection with the Disaster Relief Program under the authority of the act of September 30, 1950, as amended, 64 Stat. 1109, as amended, 42 U. S. C., 1946 ed. Sup. V 1855–1855g, commonly known as the Disaster Relief Act, and Executive Order 10221, dated March 2, 1951 (16 F R. 2051) *Provided, however,* That the authority delegated herein shall not include authority to compromise any damage claims.

2. This delegation supersedes the prior delegation of authority to the Regional Representative and Regional Engineer of former Region 5, effective February 13, 1952, published at 17 F. R. 1400 (February 13, 1952) and the prior delegation to the Regional Representative and Regional Engineer of former Region 6, effective July 8, 1952, published at 17 F. R. 6133 (July 8, 1952) which prior delegations are hereby revoked.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1268, 1283–85 (1948), as amended, 12 U. S. C., 1946 ed. Sup. V 1701c; 63 Stat. 413, 440 (1949), 12 U. S. C., 1946 ed. Sup. V 1701d–1; 64 Stat. 1109 (1950), as amended, 42 U. S. C., 1946 ed. Sup. V 1855–1855g; E. O. 10221 of March 2, 1951, 16 F. R. 2051 (1951))

Effective as of the 1st day of September 1953.

ALBERT M. COLE,
Housing and Home Finance Administrator

[F. R. Doc. 53-8029; Filed, Sept. 16, 1953; 8:49 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 43-DPAV-49]

REQUEST TO PARTICIPATE IN THE FORMATION AND ACTIVITIES OF THE INTEGRATION COMMITTEE ON CAST ARMOR FOR TRACKLAYING TYPE VEHICLES

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in the formation and activities of the Integration Committee on Cast Armor for Tracklaying Type Vehicles, in accordance with the Voluntary Plan entitled, "Plan and Regulations of Ordnance Corps Governing the Integration Committee on Cast Armor for Tracklaying Type Vehicles," dated February 29, 1952, as modified, was approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Defense Production Administrator, and was accepted by the companies listed below.

The Voluntary Plan, as modified, was approved and found to be in the public interest as contributing to the national defense.

Contents of request. Reference is made to my letter dated March 10, 1952, requesting your participation in the formation and activities of an Integration Committee on Cast Armor for Tracklaying Vehicles in accordance with the Voluntary Plan enclosed therein.

The Assistant Judge Advocate General informs me that it was not intended to limit membership on this Committee to prime contractors. Accordingly, the Voluntary Plan is modified as follows:

a. The second sentence of the first paragraph, section 1 of the plan, reads as follows: "There are, presently under contract with the Ordnance Corps for the integration of the production of Cast Armor, seven manufacturers whose names and addresses are listed in Section 5 hereof." This sentence is deleted.

b. The first sentence of section 2 of the plan is amended to read: "The Committee is composed of and shall be limited to those manufacturers producing Cast Armor for Tracklaying Type Vehicles."

c. Subsections a and b of section 3 of the plan are amended as follows:

"a. Make available to all contractors the benefit of the production experience and techniques of each contractor member in the group without royalty or charge, and so to integrate the facilities of the group as to attain maximum production in the shortest possible time.

"b. Control, divert, and direct critical components to contractors who have the greatest demand for them. One or more components may be in great demand at a given time by one contractor and at the same time another contractor may have an inventory of such components in excess of its immediate demands, yet have its production retarded for lack of some other critical component not immediately required by others."

d. Subsections a (5) (a), a (5) (b) and a (5) (c) of section 5 of the Plan are amended as follows:

"(a) Each contractor producing Cast Armor for Tracklaying Vehicles shall be a member of the Committee "

"(b) Each new contractor under contract for the production of Cast Armor for Tracklaying Vehicles shall become a member of the Committee "

"(c) Termination or cancellation of a contract for the production of Cast Armor for Tracklaying Vehicles shall terminate the membership of such contractor-member "

e. Subsection a (6) of section 5 of the Plan is amended as follows:

"(6) One policy level official and one senior production official from each of the contractors shall represent the members of the Committee. * * *"

The Attorney General and I have approved this modification and I find it to be in the public interest as contributing to the national defense. Your participation is requested in the formation and activities of this Integration Committee in accordance with the Voluntary Plan, as modified. You will become a participant therein upon notifying me in writing of your acceptance of this request. Will you kindly send two copies thereof to the Procurement Division, Production Branch, Office of the Assistant Chief of Staff, G–4, United States Army, Pentagon Building, Washington 25, D. C.

Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance, provided that the activities of the Integration Committee on Cast Armor for Tracklaying Type Vehicles and your participation therein are within the limits set forth in the Voluntary Plan, as modified.

Your cooperation in this matter will be appreciated.

Sincerely yours,

MANLY FLEISCHMANN,
Administrator.

List of companies accepting request to participate:

Pittsburgh Steel Foundry Corp., Glassport, Pa.

Union Steel Castings, Division of Blaw Knox Co., Sixty-Second and Butler Streets, Pittsburgh 1, Pa.

Continental Foundry & Machine Co., Chicago works—East Chicago, Ind., Pittsburgh works—Coraopolis, Pa., Wheeling works—Wheeling, W. Va.

American Steel Foundries, 410 North Michigan Avenue, Chicago 11, Ill.

Scullin Steel Co., 6700 Manchester Avenue, St. Louis 10, Mo.

National Roll & Foundry Co., Avonmore, Pa.

General Steel Castings Corp., Granite City, Ill.

Birdsboro Steel Co., Birdsboro, Pa.

U. S. Steel Co., Columbia-Geneva Steel Division, San Francisco, Calif.

(Sec. 708, 67 Stat. 129, Pub. Law 95, 83d Congress, Executive Order 10480, August 14, 1953, 18 F. R. 4939)

Dated: September 11, 1953.

ARTHUR S. FLEMMING,
Director

[F. R. Doc. 53-8017; Filed, Sept. 16, 1953; 8:47 a. m.]

[ODM (DPA) Request No. 50-DPAV-50]

REQUEST TO PARTICIPATE IN THE FORMATION AND ACTIVITIES OF ORDNANCE CORPS INTEGRATION COMMITTEE ON BURSTER CASINGS

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in the formation and activities of an Army Ordnance Corps Integration Committee on Burster Casings in accordance with the Voluntary Plan entitled, "Plan and Regulations of Ordnance Corps Governing the Integration Committee on Burster Casings," dated March 31, 1953, was approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Director of the Office of Defense Mobilization, and was accepted by the companies listed below.

This Voluntary Plan provides for the formation and operations of the Burster Casings Integration Committee and will make available to all the participating companies the production experience and techniques of each. It will also, among other things, integrate the facilities of the participants which will result in the quick attainment of maximum production and the maintenance thereof. The Voluntary Plan has been approved by the Director of the Office of Defense Mobilization and found to be in the public interest as contributing to the national defense.

Contents of Request. You are requested to participate in the formation and activities of the Integration Committee on Burster Casings in accordance with a voluntary plan entitled "Plan and Regulations of Ordnance Corps Governing the Integration Committee on Burster Casings," dated March 31, 1953, a copy of which is herewith enclosed.

In my opinion, your participation in the formation and activities of this Committee will assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 of the Defense Production Act of 1950, as amended.

I approve the Voluntary Plan and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon notifying me in writing of your acceptance of this request. Will you kindly send two copies thereof to the Procurement Division, Production Branch, Office of the Assistant Chief of Staff, G–4, United States Army, Pentagon Building, Washington 25, D. C.

Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance, provided that the activities of the Integration Committee on Burster Castings and your participation therein are within the limits set forth in the Voluntary Plan.

Your cooperation in this matter will be appreciated.

Sincerely yours,

ARTHUR S. FLEMMING,
Director.

List of companies accepting request to participate:

Automatic Steel Products Co., 1201 Camden Avenue SW., Canton 6, Ohio.

Bruner-Ritter, Inc., 1720 Fairfield, Bridgeport, Conn.

Dakin Manufacturing Co., 4301 North Harlem Avenue, Chicago 31, Ill.

National Silver Co., 267 West Water Street, Taunton, Mass.

Eisen Bros., 1601–1635 Willow Avenue, Hoboken, N. J.

Gaychrome Co., 25 St. John's Road, Worcester, Mass.

McDowell Manufacturing Co., 301 Stanton Avenue, Millvale, Pittsburgh 9, Pa.

Prentiss-Wabers Products Co., Wisconsin Rapids, Wis.

Northwestern Corp., 1006 East Armstrong Street, Morris, Ill.

Production Plating Works, 123 West Main Street, Lebanon, Ohio.

Stubnitz-Greene Spring Corp., 404 Logan Street, Adrian, Mich.

Super-Vent Co., 905 West North Avenue, Chicago 22, Ill.

(Sec. 708, 67 Stat. 129, Pub. Law 95, 83d Congress, Executive Order 10480, August 14, 1953, 18 F. R. 4939)

Dated: September 11, 1953.

ARTHUR S. FLEMMING,
Director

[F. R. Doc. 53–8018; Filed, Sept. 16, 1953; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7–1571—7–1577]

ALLIS-CHALMERS MFG. CO. ET AL.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

SEPTEMBER 11, 1953.

In the matter of applications by the Detroit Stock Exchange for unlisted trading privileges in Allis-Chalmers Manufacturing Company, Common Stock, $20 Par Value, 7–1571, American Natural Gas Company, Common Stock, No Par Value 7–1572; E. W. Bliss Company, Common Stock, $1 Par Value, 7–1573; Commonwealth Edison Company, Common Stock, $25 Par Value, 7–1574, Eastman Kodak Company, Common Stock, $10 Par Value, 7–1575; The Gillette Company, Common Stock, $1 Par Value, 7–1576; Servel, Incorporated, Common Stock, $1 Par Value, 7–1577.

The Detroit Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F–1 thereunder, has made application to extend unlisted trading privileges to each of the above-mentioned securities, each of which is registered and listed on the New York Stock Exchange. Rule X-12F–1 provides that the applicant shall furnish a copy of each application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. Each application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to October 1, 1953, the Commission will set the matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on these applications by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing, these applications will be determined by order or the Commission on the basis of the facts stated in the applications, and other information contained in the official files of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53–8015; Filed, Sept. 16, 1953; 8:46 a. m.]

[File No. 812–841]

IONICS, INC.

NOTICE OF FILING CONCERNING APPLICATION REQUESTING EXEMPTION FOR CERTAIN TRANSACTIONS BETWEEN AFFILIATES AND A CONTROLLED COMPANY

SEPTEMBER 11, 1953.

Notice is hereby given that Ionics, Incorporated ("Ionics"), a company controlled by American Research and Development Corporation ("Research") a registered closed-end non-diversified investment company, has filed an application, pursuant to section 17 (b) of the Investment Company Act of 1940 ("act") seeking an order exempting certain transactions among Ionics, Walter Juda ("Juda") Palestine Research Associates ("PRA") The American Committee for the Weizmann Institute of Science, Inc. ("WIS") and Israel Water Company, Inc., ("IWC"), as summarized below, from the prohibitions contained in section 17 (a) of the act.

Ionics is a Massachusetts corporation engaged in the development of ion-exchange processes and materials and research work for itself and others in ion-exchange chemistry, metallurgy, and other fields. Ionics is currently engaged in extensive research and development of these ion-exchange membranes and processes looking toward the manufacture and sale of commercial units for water demineralization and for other adaptations. Ionics owns by assignment certain patent rights relating to the foregoing developments in the United States and various foreign countries, and has agreed to pay certain royalties from any such developments to PRA and WIS.

Research owns 65 percent of the outstanding voting securities of Ionics. Juda, Executive Vice-President, Technical Director and a member of the Board of Directors of Ionics, and the owner of 14 percent of the outstanding voting securities of Ionics, is an affiliated person of Ionics. Juda is also Secretary-Treasurer and a Trustee of PRA, a non-profit Massachusetts corporation, and is therefore an affiliated person of that corporation. Pursuant to an agreement among Ionics, PRA, WIS, and Juda, there will be formed a new corporation, IWC, of which Juda will be an officer, director, and stockholder, and therefore an affiliated person. The initial authorized capital stock of IWC shall consist of 100 shares, of which 67 shares shall be voting Class A Common Stock and 33 shares shall be non-voting Class B Common Stock. Both classes of stock shall have equal rights in all respects except voting rights.

In order to effectuate the exploitation and development of its inventions and discoveries, the Board of Directors of Ionics has voted to grant exclusive licenses within the State of Israel to practice most of its inventions and discoveries in the field of ion-exchange and ion-transfer chemistry to IWC with respect to applications relating to the treatment of natural waters, and to Juda for all other applications. Both of these licenses run for a period of 17 years, and thereafter for the life of any United States Letters Patent of the subject inventions, unless terminated earlier upon the happening of certain events or defaults. In the case of the license to Juda, Ionics will be entitled to receive royalties or fees equal to 35 percent of all net profits, royalties or earnings realized by Juda from his practice of the license granted. As consideration for the granting of the license to IWC and the transfer and delivery to IWC of one of its membrane demineralizer units, IWC will issue 33 shares of non-voting Class B Common Stock to Ionics. IWC will also issue 34 shares of Class A Common Stock (approximately 51 percent of the voting stock) to Juda in consideration of Juda's foregoing, in favor of IWC, of certain licenses which were granted by Ionics to Juda to practice Ionics' inventions in the same water conditioning field in Israel as IWC. In consideration of the payment of $3,000 to finance the cost of engineering work in Israel in connection with the application of Ionics' inventions, IWC will issue to WIS 33 shares of Class A Common Stock (approximately 49 percent of the voting stock)

Section 17 (a) of the act prohibits the sale or purchase of securities or other property by affiliated persons to or from a registered investment company or a company controlled by such investment company, subject to certain exceptions, unless the Commission, pursuant to sec-

tion 17 (b) of the act, grants an exemption from the provisions of section 17 (a) Ionics has stated that the proposed transactions meet the requirements of section 17 (b) in that the terms of the proposed transactions are fair and reasonable; do not involve overreaching on the part of any person concerned; are consistent with the policies of Research as recited in its registration statement and reports filed under the act and are consistent with the general purposes of the act.

Notice is further given that any interested person may, not later than September 21, 1953, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N–5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53–8016; Filed, Sept. 16, 1953; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28445]

GASOLINE AND OTHER PETROLEUM PRODUCTS FROM SOUTH CAROLINA TO WASHINGTON, GA.

APPLICATION FOR RELIEF

SEPTEMBER 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for the Georgia Rail Road & Banking Company, operated as the Georgia Railroad by Lessees: Atlantic Coast Line Railroad Company, Louisville and Nashville Railroad Company also for the Southern Railroad Company.

Commodities involved: Gasoline and other petroleum products, in tank-car loads.

From: Camp Croft and East Spartanburg, S. C.

To: Washington, Ga.

Grounds for relief: Competition with rail carriers, competition with motor carriers.

Schedules filed containing proposed rates; C. A. Spaninger, Agent, tariff I. C. C. No. 1253, supp. 108.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53–8020; Filed, Sept. 16, 1953; 8:48 a. m.]

[4th Sec. Application 28446]

FOREIGN WOODS FROM ELIZABETH CITY, N. C., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Lumber and lumber products of foreign wood other than Brazilian pine, Canadian wood, Mexican pine, balsa wood, or dyewoods, carloads.

From: Elizabeth City, N. C.

To: Points in Alabama, Florida, Georgia, Mississippi, and Tennessee.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, tariff I. C. C. No. 1356, supp. 8.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53–8021; Filed, Sept. 16, 1953; 8:48 a. m.]

[4th Sec. Application 28447]

ILMENITE ORE FROM MELBOURNE, FLA., TO BYESVILLE, OHIO

APPLICATION FOR RELIEF

SEPTEMBER 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Ilmenite ore and concentrates, carloads.

From: Melbourne, Fla.

To: Byesville, Ohio.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short-line distance formula.

Schedules filed containing proposed rates; C. A. Spaninger, Agent, tariff I. C. C. No. 1346, supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53–8022; Filed, Sept. 16, 1953; 8:48 a. m.]

[4th Sec. Application 28448]

BARIUM SULPHATE FROM HAMPTON ROADS PORTS TO WEST VIRGINIA

APPLICATION FOR RELIEF

SEPTEMBER 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. W Boin, Agent, for The Baltimore and Ohio Railroad Company and other carriers.

Commodities involved: Barium sulphate (barytes ore), crude, unground, carloads.

From: Hampton Roads ports, Va.

To: Charleston and South Charleston, W Va.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: Agent R. B. Le Grande tariff I. C. C. No. 253, supp. 57, Agent R. B. Le Grande tariff I. C. C. No. 238, supp. 123.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-8023; Filed, Sept. 16, 1953; 8:48 a. m.]

[4th Sec. Application 28449]

FURNITURE FROM AMARILLO, TEX., TO COLORADO AND WYOMING

APPLICATION FOR RELIEF

SEPTEMBER 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Furniture and parts, carloads.

From: Amarillo, Tex.

To: Points in Colorado and Wyoming.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short-line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, tariff I. C. C. No. 3886, supp. 91.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-8024; Filed, Sept. 16, 1953; 8:48 a. m.]

[4th Sec. Application 28450]

AUTOMOBILE BUMPERS AND FITTINGS FROM HUNTINGTON, W. VA., TO POINTS IN EAST AND MIDWEST

APPLICATION FOR RELIEF

SEPTEMBER 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4542 and Chesapeake and Ohio Railway tariff I. C. C. No. 13226, pursuant to fourth-section order No. 17220.

Commodities involved: Automobile parts, viz., bumpers and fittings, carloads.

From: Huntington, W. Va.

To: Points in Delaware, Illinois, Indiana, Kentucky, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Virginia.

Grounds for relief: Competition with rail carriers, circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commisison.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-8025; Filed, Sept. 16, 1953; 8:49 a. m.]

[4th Sec. Application 28451]

PULPBOARD AND FIBREBOARD FROM VINCENNES, IND., TO CLEVELAND, TENN.

APPLICATION FOR RELIEF

SEPTEMBER 14, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4510, pursuant to fourth-section order No. 17220.

Commodities involved: Pulpboard or fibreboard, carloads.

From: Vincennes, Ind.

To: Cleveland, Tenn.

Grounds for relief: Competition with rail carriers, circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-8026; Filed, Sept. 16, 1953; 8:49 a. m.]